
Introduced by Senators Steinberg and De León

May 14, 2014

Senate Resolution No. 45—Relative to the Standards of Conduct of the Senate.

1 WHEREAS, Public office is a public trust; and
2 WHEREAS, That trust is eroded by actions that appear to place
3 the private interests of public officials above the public good; and
4 WHEREAS, The proper operation of democratic government
5 requires that public officials be independent and impartial, that
6 government policy and decisions be made through the established
7 processes of government, that public officials not use public office
8 to obtain personal benefits, that public officials avoid actions that
9 create the appearance of using public office to obtain a personal
10 benefit, and that the public have confidence in the integrity of its
11 government and public officials; and
12 WHEREAS, In pursuit of these goals; now, therefore, be it
13 *Resolved by the Senate of the State of California*, That the
14 Standards of Conduct of the Senate are as follows:
15 First—Each Senator shall conduct himself or herself so as to
16 justify the high trust reposed in him or her by the people and to
17 promote public confidence in the integrity of the Senate.
18 Second—A Senator or officer or employee of the Senate shall
19 not engage in unethical conduct or tolerate such conduct by others.
20 Each Senator and each officer or employee of the Senate has a
21 responsibility to report any apparent and substantial violation of
22 these standards and to consult with the Senate Committee on
23 Legislative Ethics or, at the option of the individual, the Senate
24 ombudsperson regarding the propriety of any conduct that may
25 violate these standards. Moreover, a Senator or officer or employee

1 of the Senate shall not retaliate against a person who reports a
2 possible violation of these standards or consults about conduct that
3 may violate these standards, or against a person who the Senator,
4 officer, or employee believes made such a report.

5 Third—Each Senator and each officer or employee of the Senate
6 has an obligation to exercise his or her independent judgment on
7 behalf of the people of California, rather than for personal gain or
8 private benefit.

9 (a) A Senator or officer or employee of the Senate shall not seek
10 or accept anything from anyone that would interfere with the
11 exercise of his or her independent judgment.

12 (b) A Senator or officer or employee of the Senate shall not
13 accept outside employment that is inconsistent with the
14 conscientious performance of his or her duties.

15 (c) A Senator shall not use the prestige of his or her office, and
16 an officer or employee of the Senate shall not use the status of his
17 or her position, for material or financial gain or private benefit.

18 Fourth—Each Senator has an obligation to provide energetic
19 and diligent representation, and each officer or employee of the
20 Senate has an obligation to provide energetic and diligent service
21 on behalf of the Senate, with due consideration for the interests of
22 all of the people of California.

23 (a) Each Senator and each officer or employee of the Senate
24 has an obligation to be informed and prepared, recognizing all
25 sides of an issue.

26 (b) Each Senator and each officer or employee of the Senate,
27 when intervening on behalf of a constituent with any governmental
28 agency, shall make every effort to ensure that decisions affecting
29 any constituent are made on their merits and in a fair and equitable
30 manner.

31 (c) Each Senator shall be accessible to all constituents, making
32 a special effort to attend to the concerns of those who might not
33 otherwise be heard.

34 (d) Each Senator shall fairly characterize the issues confronting
35 the Legislature and accurately inform the public regarding the
36 conduct of his or her office.

37 Fifth—Each Senator and each officer or employee of the Senate
38 has an obligation to the public and to his or her colleagues to be
39 informed about, and abide by, the rules that govern the proceedings
40 of the Senate and the Legislature.

1 (a) Each Senator shall perform his or her duties with courtesy
2 and respect for both colleagues and those who may appear before
3 the Senate.

4 (b) In exercising the power of confirmation, each Senator shall
5 act with due regard for the general welfare of the people of
6 California.

7 (c) Each Senator and each officer or employee of the Senate,
8 when exercising oversight functions with respect to any
9 governmental agency, shall act in an informed fashion, with
10 attention to the underlying policies being implemented and with
11 due respect for the independence of the agency.

12 Sixth—Each Senator, and each officer or employee of the Senate,
13 acting in a position of leadership shall exercise his or her power
14 and carry out his or her responsibility so as to enhance reasoned
15 and visible decision-making by the Senate.

16 Seventh—Each Senator has an obligation to treat each officer
17 or employee of the Senate with fairness and without discrimination,
18 and to ensure that each officer or employee performs only those
19 tasks for which there is a legislative or governmental purpose.

20 Eighth—Each officer or employee of the Senate has an obligation
21 to perform his or her properly assigned duties using his or her best
22 judgment with diligence and a duty of loyalty to the Senate as an
23 institution.

24 Ninth—Each Senator and each officer or employee of the Senate
25 has an obligation to make proper use of public funds.

26 (a) A Senator or an officer or employee of the Senate shall not
27 use state resources for personal or campaign purposes.

28 (b) Each officer or employee of the Senate is free to volunteer
29 for, and participate in, campaign activities on his or her own time,
30 but an officer or employee of the Senate shall not be intimidated,
31 coerced, or compelled, as a condition of continued appointment
32 or employment, to either volunteer time or contribute money to a
33 candidate or campaign.

34 (c) A Senator or an officer or employee of the Senate shall not
35 discuss legislative business of any kind while attending or hosting
36 an event at which campaign funds or contributions are solicited,
37 provided, or discussed.

38 Tenth—Each Senator and each officer or employee of the Senate
39 shall uphold the Constitution of California and the Constitution

1 of the United States, and shall adhere to the spirit and the letter of
2 the laws, rules, and regulations governing officeholder conduct.

3 Eleventh—Each Senator and each officer or employee of the
4 Senate shall conduct himself or herself in the performance of his
5 or her duties in a manner that does not discredit the Senate.

6 Twelfth—Each Senator and each officer or employee of the
7 Senate is expected to report to the proper authority any apparent
8 and substantial violation of these standards or related statutes,
9 regulations, or rules, and to consult with the Senate ombudsperson,
10 the Senate Committee on Legislative Ethics, or any other
11 appropriate governmental agency regarding the propriety of any
12 conduct that may violate these standards.